

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 04-10213-WGY
)	
DALE E. MATHENY)	
)	
Defendant)	

GOVERNMENT’S EXHIBIT LIST

The government intends to offer some or all of the exhibits listed below during its case-in-chief at the sentencing trial scheduled for December 20, 2004 in the above matter.

**Exhibit
Number**

Description

1. Summary of Gross Receipts;
2. Summary of Allowed Business Expenses;
 - a. with FICA Deduction;
 - b. without FICA Deduction;
3. Summary of Allowed Payroll Expenses;
4. Handwritten sheet titled “Employees Salaries”;
5. Typewritten document titled: “Estimate for Employee Joe Canata 2000”;
6. Typewritten document titled: “Estimate for Employee Rich Felton 2000”;
7. Summary of Additional Claimed Expenses;
 - a. Submitted vs. Allowed Expenses;
 - b. Disputed Expense Items;
8. Application for Employment - Dale’s Professional Painting Service;

9. Nextel Account Summary;
10. Promotional flyer - Dale's Professional Painting Service;
11. 2000 Day Planner (excerpts);
12. Form 941 - Employer's Quarterly Federal Tax Return (blank);
13. Form 4549A: Income Tax Examination Changes;
 - a. with FICA Deductions;
 - b. excluding FICA Deductions;
14. Tax Loss Computations.
 - a. with FICA Deductions;
 - b. excluding FICA Deductions.

The above list represents the exhibits the government may offer in its case-in-chief. The government reserves the right, consistent with the Local Rules Concerning Discovery in Criminal Cases, to supplement this exhibit list with additional exhibits as necessary.

Respectfully submitted,

UNITED STATES OF AMERICA

By its attorneys,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ **Michael J. Pineault**
Michael J. Pineault
Assistant U.S. Attorney
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Dated: December 15, 2004

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by fax:

Douglas A. Fleming, Esq.
268 Summer Street, Third Floor
Boston, MA 02210

This 15th day of December, 2004

/s/ Michael J. Pineault
Michael J. Pineault
Assistant United States Attorney